

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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In the Matter of)

Amendment of the Commission's)
Rules to Provide Channel Exclusivity)
to Qualified Private Paging Systems)
at 929-930 MHz)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

PR Docket No. 93-35
RM-7986

To: The Commission

JOINT REPLY COMMENTS OF
MESSAGE CENTER BEEPERS, INC. AND BEEPAGE, INC.

Message Center Beepers, Inc. (MCB) and Beepage, Inc.
(Beepage) hereby submit their joint reply comments in the above-

~~mentioned matters. MCB and Beepage have filed Joint Comments~~

organization which filed the petition which led to this proceeding. This slow-growth concept has been applied for years to SMR and other private radio services, and it has been successful in fostering the implementation of larger systems which provide expanded service areas.

The Comments of Radio Network, Inc. (RadioNet) ask that

3. The Commission has proposed that in order to qualify for a grant of nationwide exclusivity, licensees be required to construct 300 transmitters encompassing 50 or more markets (including at least 25 of the top 50 markets). A nationwide licensee would have to serve at least two markets in each of seven regions, modelled on the seven RBOC regions. (NPRM, para. 26). The Commission had asked for comments on whether these detailed requirements might be too intrusive and frustrate its goal of creating a competitive mobile communications marketplace. (NPRM, para. 27).

4. Although the Commission is concerned that its proposed standard requiring service to two markets in each region may be too intrusive, PageMart, Inc. (PageMart) suggests a much higher standard of service to five markets in each region. (Comments of PageMart, p. 14). MCB and Beepage believe that PageMart's proposal goes far beyond what is needed to assure reasonable geographic distribution in nationwide systems and would in fact shape systems to meet theoretical rather than marketplace concerns. These parties submit that a system including 300 or more transmitters, providing service in at least two markets of every region of the country, and serving 50 or more markets is by any reasonable standard a nationwide system. No party would conceivably make the enormous investment required to construct such a system in order to "warehouse" a frequency. But a requirement of service to five markets in every region, in addition to the two other numerical thresholds, would in fact

artificially intrude on the working of the marketplace and needlessly limit legitimate competition.